

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA
upon the relation and for the use of the
TENNESSEE VALLEY AUTHORITY,
Plaintiff,

v.

No. _____

A TEMPORARY RIGHT TO ENTER
UPON LAND IN CHEATHAM COUNTY,
TENNESSEE, and
HEATHER J. HARANT,
PHILIP E. HARANT, JR., her husband,
Defendants.

COMPLAINT

1. This is an action of a civil nature brought by the United States of America upon the relation and for the use of the Tennessee Valley Authority for the taking of a temporary right under the power of eminent domain and for the ascertainment and award of just compensation to the owners and parties in interest.

2. The authority for the taking is the Tennessee Valley Authority Act of 1933, *as amended*, 16 U.S.C. §§ 831 et seq.

3. The public use for which the temporary property right is taken is the conducting of surveys, core drilling, environmental studies, appraisals, title investigations, and related activities for the acquisition of an easement and right-of-way for the erection, operation, and maintenance of electric power transmission circuits and communication circuits.

4. The right to be acquired is a temporary right to enter upon land designated in the records of the Tennessee Valley Authority as tract number CWNLC-1000-TE for the purpose of conducting surveys, core drilling, appraisals, title investigations, and related activities to

determine what portion of said land or interest therein is necessary for the erection, operation, and maintenance of electric power transmission circuits and communication circuits, the Plaintiff to remain liable for damage to annual crops and other actual property damage resulting directly from the operations of Plaintiff's forces in the conduct of such activities upon said land.

5. The land affected by the temporary right herein condemned is located in Cheatham County, Tennessee, identified as tax map and parcel number 026-023.05, in the office of the Tax Assessor of said county and state, and described in a deed recorded in Record Book 536, page 798, in the office of the Register of Cheatham County, Tennessee, which description is incorporated herein by reference and made a part hereof.

6. The persons known to the Plaintiff to have or may claim an interest in said property are as follows:

- a. Heather J. Harant owns the property in fee simple by virtue of said deed.
- b. Philip E. Harant, Jr., her husband, may have or claim possible marital rights in said property.

7. A Declaration of Taking is being filed contemporaneously herewith.

WHEREFORE, the Plaintiff demands that:

- (1) An Order be issued putting the Tennessee Valley Authority as agent of the United States of America into immediate possession of the property condemned.
- (2) Just compensation for the temporary property right taken be ascertained in accordance with Rule 71.1(h) of the Federal Rules of Civil Procedure.
- (3) A Judgment be entered confirming the vesting of title to the interests sought to be condemned in the United States of America by virtue of the Declaration of Taking filed herewith.

(4) The Plaintiff have such other relief as may be lawful and proper.

Respectfully submitted,

s/James S. Chase

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